

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

TRACEY WHEELER,

Plaintiff,

vs.

EAGLE MOUNT - BOZEMAN,

Defendant.

**CR-21-09-BU-BMM**

**ORDER**

Defendant Eagle Mount – Bozeman (“Defendant”) has filed a Motion for Summary Judgment. (Doc. 23.)

Plaintiff Tracey Wheeler (“Plaintiff”) has filed several Motions in Limine (Doc. 27) as well as a Motion to Compel Discovery and Appropriate Sanctions (Doc. 29.)

The Court held a hearing on these motions in Butte, Montana on September 7, 2022. (Doc. 42.) During the hearing, the Court denied Plaintiff’s Motion to

Compel as moot. The Court then ruled on two of Plaintiff's Motions in Limine: the Motion to exclude attacks on Plaintiff or her counsel and the Motion to exclude personal opinions and comments on the evidence. (Doc. 42.) The Court explained its rulings in open court. (Doc. 42.)

The Court reserved its rulings on Plaintiff's Motion in Limine to exclude evidence Defendant withheld from discovery (Doc. 27 at No. 1), Motion in Limine to exclude information unknown to Defendant at the time it fired Plaintiff (Doc. 27 at No. 2), and her Motion in Limine to exclude evidence of prior pleadings (Doc. 27 at No. 5). (Doc. 42.) The Court also reserved its ruling on Defendant's Motion for Summary Judgment. (Doc. 42.)

## **ORDER**

### **IT IS ORDERED:**

1. Plaintiff Tracey Wheeler's Motion to Compel Discovery and Appropriate Sanctions (Doc. 29) is DISMISSED as moot.
2. Plaintiff Tracey Wheeler's Motion in Limine to exclude to personal attacks on Plaintiff or her counsel (Doc. 27 at No. 3) is GRANTED.
3. Plaintiff Tracey Wheeler's Motion in Limine to exclude personal opinions or comments on the evidence (Doc. 27 at No. 4) is GRANTED, subject to the Federal Rules of Civil Procedure and the Federal Rules of Evidence.

Dated the 12th day of September, 2022.

A handwritten signature in blue ink, reading "Brian Morris". The signature is fluid and cursive, with the first name "Brian" and last name "Morris" clearly distinguishable.

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Brian Morris, Chief District Judge  
United States District Court